

**IN THE U.S. DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

SUSAN THAYER,
Qui Tam Plaintiff/Relator

ON BEHALF OF HERSELF AND ON
BEHALF OF THE U.S. OF AMERICA,

Plaintiffs,

vs.

PLANNED PARENTHOOD OF THE
HEARTLAND, INC. (f/k/a PLANNED
PARENTHOOD OF GREATER IOWA,
INC.),

Defendant.

Case No. 4:11-cv-00129-JAJ-CFB

**DEFENDANT PLANNED
PARENTHOOD OF THE
HEARTLAND'S MOTION FOR AN
EXTENSION OF TIME**

Defendant Planned Parenthood of the Heartland, Inc. (f/k/a/ Planned Parenthood of Greater Iowa, Inc.) ("PPH"), by and through its undersigned counsel, respectfully moves for a three week extension of time to file its Reply Brief in support of its Motion for Attorneys' Fees to and including October 26, 2020.

1. On June 19, 2020, PPH filed a motion for reasonable attorneys' fees. (Dkt. 332.)
2. PPH's motion addressed both its entitlement to reasonable attorneys' fees as well as the reasonableness of its fee request.
3. This case encompasses over eight years' worth of litigation, and PPH's attorneys' time entries span hundreds of pages. The process of reviewing each time entry and redacting each narrative for any attorney-client privileged matter was a labor-intensive process for PPH's attorneys. As a result, the Court granted PPH a two-week extension to file its motion for reasonable attorneys' fees. (Dkt. 324.) Ultimately, PPH submitted over two hundred pages of evidence and argument to the Court. (Dkt. 332 to Dkt. 332-4.)

4. Plaintiff-Relator likewise needed to expend efforts in reviewing PPH's fee request and responding to the reasonableness of PPH's fees in its brief. As a result, the Court granted Plaintiff-Relator an extension until September 3, 2020 to oppose PPH's motion. (Dkt. 335). Plaintiff-Relator filed two motions for additional time to file her resistance to PPH's Motion for Attorneys' Fees, requesting a total of twenty-one additional days. (Dkt. 338, Dkt. 340). PPH did not oppose either motion and Plaintiff-Relator agreed not to oppose any request from PPH for an extension of time to file its reply "so long as that request is comparable in length to the additional number of days Thayer has received to file her response." (Dkt. 340 ¶ 9; *see also* Dkt. 338 ¶ 10). The Court granted both of Plaintiff-Relator's requests for additional time, moving her deadline to file her resistance to PPH's Motion for Attorneys' Fees three weeks from September 3rd to September 28, 2020. (Dkt. 339, Dkt. 341).

5. On September 28, 2020, Plaintiff-Relator filed her resistance to PPH's Motion for Attorneys' Fees (the "Resistance"). (Dkt. 346). Under the Local Rules, PPH has one week, until October 5, 2020 to submit a reply brief. L.R. 7(g). In support of her Resistance, Plaintiff-Relator submitted over six hundred pages of evidentiary support. (Dkt. 346-1 to 346-6). PPH's counsel needs time to review these materials and address them in its reply brief.

6. In addition to commitments on other cases, including dispositive motion practice and significant discovery obligations, PPH's counsel is also in the process of briefing the appeal of this Court's summary judgment decisions. PPH's appellate brief must be filed by November 18, 2020. (Order, Sept. 28 2020, Entry ID 4960237 in 8th Cir. Court of Appeals Docket No. 20-2151).

7. Given the voluminous nature of the record submitted in support of and in resistance to PPH's Motion for Attorneys' Fees, PPH's counsel's commitments in other cases,

and the ongoing appeal, PPH's counsel requires additional time to review the Resistance and the voluminous exhibits submitted with it, research the relevant legal issues, draft PPH's reply brief, and have the brief edited and prepared for filing. PPH therefore requests a three-week extension of time to and including October 26, 2020, to submit its Reply Brief in support of its Motion for Attorneys' Fees.

8. PPH's counsel have conferred with Plaintiff-Relator's counsel and Plaintiff-Relator has no objection to the Court granting this motion.

Therefore, PPH respectfully requests that this Court grant PPH's motion for an extension of time to and including October 26, 2020 to file its Motion for Attorneys' Fees.

Dated: September 29, 2020

Respectfully submitted,

/s/ Kristen C. Rodriguez

One of the Attorneys for Defendant

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CERTIFICATE OF SERVICE

I, Kristen C. Rodriguez, hereby certify that on September 29, 2020, I caused the foregoing **DEFENDANT PLANNED PARENTHOOD OF THE HEARTLAND'S MOTION FOR AN EXTENSION OF TIME** to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to attorneys of record.

/s/ Kristen C. Rodriguez